IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

WP(C).No. 4039 of 2007(E)

PETITIONERS:

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1. LAKSHMY, W/O.MURUGAN,KOOTTALAKATTIL HOUSE, KUNISSERI AMSOM DESOM, ERIMAYUR II VILLAGE, ALATHUR TALUK, PALAKKAD DISTRICT.

2. THEETHU, S/O.KESAVAN, KOOTTALAKATTIL HOUSE, DO. DO.

BY ADV. SRI.K.RAMAKUMAR
SRI.V.K.SREENATH

RESPONDENTS:

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1. THE ERIMAYUR GRAMA PANCHAYAT REP. BY ITS SECRETARY, ERIMAYUR, PALAKKAD DIST.

2.THE GEOLOGIST, MINING AND GEOLOGY DEPARTMENT, PALAKKAD.

R2 BY GOVT.PLEADER SMT.T.B.RAMANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C) No.4039 OF 2007

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DATED THIS THE 6TH FEBRUARY, 2007

J U D G M E N T

The Government Pleader takes notice on behalf of the 2nd respondent.

2. The grievance of the petitioners is that the Panchayat is not passing any orders on the application submitted by them for a no-objection certificate so that the 2nd respondent-Geologist will be able to consider their application for mining permit.

2. I do not propose to examine the merits of the grounds raised. Since Ext.P2 is pending before the Panchayat, it is only appropriate that the Panchayat takes a decision on the same. Accordingly the Writ Petition will stand disposed of with the following directions:

The 1st respondent-Panchayat will take up Ext.P2, hear the petitioners and take a correct decision on Ext.P2 in accordance with law at its earliest and at any rate within one month of receiving copy of this judgment.

(PIUS C. KURIAKOSE, JUDGE)

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